

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT



DATE:

26-Nov-03

APPL. S.N.:

09/884,147

Routing Slip Printed On: Wednesday, November 26, 2003 1:54:49 PM

TO: EXAMINER

Jackson, Cornelius

ART UNIT:

<u> 2828</u>

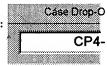
FROM:

Preston, Renee

PARALEGAL SPECIALIST

Special Program Database, Version 2.1

RETURN THIS MEMO TO:



SUBJ	IECT:	Decision on Terminal Disclaimer (T.D.) filed: 18-Nov-03	
i !	INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete, please initial, date and return this memo to me. THANK YOU.		
V	The T	C.D. is PROPER and has been recorded (see ¶14.23).	
	The T	C.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see ¶ 14.24):	
		The TD fee of has not been submitted nor is there any authorization in the application file for the use of a (see ¶ 14.26.07).	deposit account
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest interest of the business entity represented by the signature) in the application/patent (see \P 14.26 & 14.26.01).	(and/or the extent of the
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double pater rejection, Rule 321(b) (see ¶ 14.27.01).	nting
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion the term of the entire patent to be granted" (MPEP 1490) (see \P ¶ 14.26 & 14.26.02).	of
		The person who signed the T.D.:	
		is not an attorney "of record" (see ¶¶ 14.29 and 14.29.01).	
		has failed to state his/her capacity to sign for the business entity (see ¶ 14.28).	
		is not recognized as an officer of the assignee (see ¶¶ 14.29 & possible 14.29.02).	
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documents the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (mentary evidence or
		The T.D. is not signed (see $\P \ 14.26 \ \& \ 14.26.03$).	
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejectio (see § 14.32).	n is missing or incorrect
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see $\P = 14.26$, 14.27.02 or 14.26.05).	
		The period disclaimed is incorrect or not specified (see ¶¶14.26, 14.27.02 or 14.26.03).	
		Other:	
		Suggestion to request refund (see ¶ 14.36). NOTE: If already authorized, credit refund to deposit account and do not che	eck this item.
I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.			
Ex. Initials: Log Date:			

(Rev. 5/98)